THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23211 of 2006

Dated: 22-11-2006

Between:

Maadgonda.

..... PETITIONER

AND

The District Collector, Medak District, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.23211 of 2006

ORDER:

The petitioner is a resident of Wasar Village of Kangti Mandal in Medak District. He is allegedly owner of land admeasuring Acs.12-14 guntas in survey No.70/AA situated in the said Village. Alleging that respondent No.5 is trying to construct a school building in his land without due process of law, he filed the present writ petition seeking a declaration that such construction in a private land is illegal and arbitrary.

The matter was initially listed for preliminary hearing on 08-11-2006. This Court directed the learned Assistant Government Pleader for Revenue (General-T) and the learned Assistant Government Pleader for School Education to get instructions in the matter. After getting instructions, the learned Assistant Government Pleader for School Education submits that as per the resolution passed by the Gram Panchayat on 18-10-2006, construction of three additional classrooms in the elementary school, which was constructed in survey No.69, is taken up. She denies the allegation that construction activity was undertaken in the land comprised in survey No.70 allegedly belonging to the petitioner. The submission of the learned Assistant Government Pleader for School Education is recorded. The writ petition is held to be one which is filed under apprehension.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

22nd November, 2006

ghn